

PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL
Government Code
Chapter 540A
8/22/22

1 CHAPTER 540A. MEDICAID MANAGED CARE TRANSPORTATION SERVICES
2 SUBCHAPTER A. GENERAL PROVISIONS
3 Sec. 540A.0001. DEFINITIONS 3
4 SUBCHAPTER B. MEDICAL TRANSPORTATION PROGRAM SERVICES THROUGH
5 MANAGED TRANSPORTATION DELIVERY MODEL
6 Sec. 540A.0051. DELIVERY OF MEDICAL TRANSPORTATION
7 PROGRAM SERVICES THROUGH MANAGED
8 TRANSPORTATION ORGANIZATION 8
9 Sec. 540A.0052. MINIMUM QUALITY AND EFFICIENCY
10 MEASURES 10
11 Sec. 540A.0053. MANAGED TRANSPORTATION ORGANIZATION:
12 CONTRACT WITH MEDICAL TRANSPORTATION
13 PROVIDER 10
14 Sec. 540A.0054. MANAGED TRANSPORTATION ORGANIZATION:
15 SUBCONTRACT WITH TRANSPORTATION
16 NETWORK COMPANY 11
17 Sec. 540A.0055. MANAGED TRANSPORTATION ORGANIZATION:
18 VEHICLE FLEETS 12
19 Sec. 540A.0056. PERIODIC SCREENING OF TRANSPORTATION
20 NETWORK COMPANY OR MOTOR VEHICLE
21 OPERATOR AUTHORIZED 13
22 Sec. 540A.0057. ENROLLMENT AS MEDICAID PROVIDER BY
23 CERTAIN MOTOR VEHICLE OPERATORS NOT
24 REQUIRED 13
25 Sec. 540A.0058. DRIVER REQUIREMENTS FOR CERTAIN MOTOR
26 VEHICLE OPERATORS 14

1	Sec. 540A.0059.	MOTOR VEHICLE OPERATOR: VEHICLE	
2		ACCESSIBILITY	15
3	SUBCHAPTER C. NONEMERGENCY TRANSPORTATION SERVICES THROUGH		
4	MEDICAID MANAGED CARE ORGANIZATION		
5	Sec. 540A.0101.	DELIVERY OF NONEMERGENCY	
6		TRANSPORTATION SERVICES THROUGH	
7		MEDICAID MANAGED CARE ORGANIZATION	15
8	Sec. 540A.0102.	RULES FOR NONEMERGENCY TRANSPORTATION	
9		SERVICES	16
10	Sec. 540A.0103.	MEDICAID MANAGED CARE ORGANIZATION:	
11		SUBCONTRACT WITH TRANSPORTATION	
12		NETWORK COMPANY	17
13	Sec. 540A.0104.	PERIODIC SCREENING OF TRANSPORTATION	
14		NETWORK COMPANY OR MOTOR VEHICLE	
15		OPERATOR AUTHORIZED	18
16	Sec. 540A.0105.	ENROLLMENT AS MEDICAID PROVIDER BY	
17		CERTAIN MOTOR VEHICLE OPERATORS NOT	
18		REQUIRED	18
19	Sec. 540A.0106.	DRIVER REQUIREMENTS FOR CERTAIN MOTOR	
20		VEHICLE OPERATORS	19
21	Sec. 540A.0107.	MOTOR VEHICLE OPERATOR: VEHICLE	
22		ACCESSIBILITY	20
23	SUBCHAPTER D. NONMEDICAL TRANSPORTATION SERVICES THROUGH MEDICAID		
24	MANAGED CARE ORGANIZATION		
25	Sec. 540A.0151.	DELIVERY OF NONMEDICAL TRANSPORTATION	
26		SERVICES THROUGH MEDICAID MANAGED	
27		CARE ORGANIZATION	20
28	Sec. 540A.0152.	RULES FOR NONMEDICAL TRANSPORTATION	
29		SERVICES	22
30	Sec. 540A.0153.	PERIODIC SCREENING OF TRANSPORTATION	
31		VENDOR OR MOTOR VEHICLE OPERATOR	
32		AUTHORIZED	26

1 Sec. 540A.0154. ENROLLMENT AS MEDICAID PROVIDER BY, OR
2 CREDENTIALING OF, MOTOR VEHICLE
3 OPERATOR NOT REQUIRED 26
4 Sec. 540A.0155. DRIVER REQUIREMENTS FOR CERTAIN MOTOR
5 VEHICLE OPERATORS 27
6 Sec. 540A.0156. MOTOR VEHICLE OPERATOR: VEHICLE
7 ACCESSIBILITY 28

8 CHAPTER 540A. MEDICAID MANAGED CARE TRANSPORTATION SERVICES

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Revised Law

11 Sec. 540A.0001. DEFINITIONS. In this chapter:

12 (1) Notwithstanding Section ____ [[[Section
13 531.001(2)]]], "commission" means the Health and Human Services
14 Commission or an agency operating part of the Medicaid managed care
15 program, as appropriate.

16 (2) "Managed care plan" means a plan under which a
17 person undertakes to provide, arrange for, pay for, or reimburse
18 any part of the cost of any health care service. A part of the plan
19 must consist of arranging for or providing health care services as
20 distinguished from indemnification against the cost of those
21 services on a prepaid basis through insurance or otherwise. The
22 term includes a primary care case management provider network. The
23 term does not include a plan that indemnifies a person for the cost
24 of health care services through insurance.

25 (3) "Managed transportation organization" means:

26 (A) a rural or urban transit district created
27 under Chapter 458, Transportation Code;

28 (B) a public transportation provider as defined
29 by Section 461.002, Transportation Code;

30 (C) a regional contracted broker as defined by
31 Section ____ [[[Section 531.02414]]];

32 (D) a local private transportation provider the
33 commission approves to provide Medicaid nonemergency medical
34 transportation services; or

1 (E) any other entity the commission determines
2 meets the requirements of Subchapter B.

3 (4) "Medical transportation program" has the meaning
4 assigned by Section ___ [[[Section 531.02414]]].

5 (5) "Nonemergency transportation service" has the
6 meaning assigned by Section ___ [[[Section 531.02414]]].

7 (6) "Nonmedical transportation service" means:

8 (A) curb-to-curb transportation to or from a
9 medically necessary, nonemergency covered health care service in a
10 standard passenger vehicle that is scheduled not more than 48 hours
11 before the transportation occurs, that is provided to a recipient
12 enrolled in a Medicaid managed care plan offered by a Medicaid
13 managed care organization, and that the organization determines
14 meets the level of care that is medically appropriate for the
15 recipient, including transportation related to:

16 (i) discharging a recipient from a health
17 care facility;

18 (ii) receiving urgent care; and

19 (iii) obtaining pharmacy services and
20 prescription drugs; and

21 (B) any other transportation to or from a
22 medically necessary, nonemergency covered health care service the
23 commission considers appropriate to be provided by a transportation
24 vendor, as determined by commission rule or policy.

25 (7) "Recipient" means a Medicaid recipient.

26 (8) "Transportation network company" has the meaning
27 assigned by Section 2402.001, Occupations Code.

28 (9) "Transportation vendor" means an entity,
29 including a transportation network company, that contracts with a
30 Medicaid managed care organization to provide nonmedical
31 transportation services. (Gov. Code, Secs. 533.001(1), (5), (6),
32 533.00257(a)(1), (2), (2-a), 533.002571(a), 533.00258(a),
33 533.002581(a); New.)

1 Source Law

2 Sec. 533.001. DEFINITIONS. In this chapter:

3 (1) "Commission" means the Health and
4 Human Services Commission or an agency operating part
5 of the state Medicaid managed care program, as
6 appropriate.

7 (5) "Managed care plan" means a plan under
8 which a person undertakes to provide, arrange for, pay
9 for, or reimburse any part of the cost of any health
10 care services. A part of the plan must consist of
11 arranging for or providing health care services as
12 distinguished from indemnification against the cost of
13 those services on a prepaid basis through insurance or
14 otherwise. The term includes a primary care case
15 management provider network. The term does not
16 include a plan that indemnifies a person for the cost
17 of health care services through insurance.

18 (6) "Recipient" means a recipient of
19 Medicaid.

20 Sec. 533.00257. DELIVERY OF MEDICAL
21 TRANSPORTATION PROGRAM SERVICES THROUGH MANAGED
22 TRANSPORTATION ORGANIZATION. (a) In this section:

23 (1) "Managed transportation organization"
24 means:

25 (A) a rural or urban transit district
26 created under Chapter 458, Transportation Code;

27 (B) a public transportation provider
28 defined by Section 461.002, Transportation Code;

29 (C) a regional contracted broker
30 defined by Section 531.02414;

31 (D) a local private transportation
32 provider approved by the commission to provide
33 Medicaid nonemergency medical transportation
34 services; or

35 (E) any other entity the commission
36 determines meets the requirements of this section.

37 (2) "Medical transportation program" has
38 the meaning assigned by Section 531.02414.

39 (2-a) "Transportation network company"
40 has the meaning assigned by Section 2402.001,
41 Occupations Code.

42 Sec. 533.002571. DELIVERY OF NONEMERGENCY
43 TRANSPORTATION SERVICES TO CERTAIN MEDICAID
44 RECIPIENTS THROUGH MEDICAID MANAGED CARE
45 ORGANIZATION. (a) In this section:

46 (1) "Nonemergency transportation service"
47 has the meaning assigned by Section 531.02414.

48 (2) "Nonmedical transportation service"
49 and "transportation network company" have the meanings
50 assigned by Section 533.00258.

51 Sec. 533.00258. NONMEDICAL TRANSPORTATION
52 SERVICES UNDER MEDICAID MANAGED CARE PROGRAM. (a) In
53 this section:

54 (1) "Nonmedical transportation service"
55 means:

56 (A) curb-to-curb transportation to
57 or from a medically necessary, nonemergency covered
58 health care service in a standard passenger vehicle
59 that is scheduled not more than 48 hours before the
60 transportation occurs, that is provided to a recipient
61 enrolled in a managed care plan offered by a Medicaid
62 managed care organization, and that the organization

1 determines meets the level of care that is medically
2 appropriate for the recipient, including
3 transportation related to:

4 (i) discharge of a recipient
5 from a health care facility;

6 (ii) receipt of urgent care;
7 and

8 (iii) obtaining pharmacy
9 services and prescription drugs; and

10 (B) any other transportation to or
11 from a medically necessary, nonemergency covered
12 health care service the commission considers
13 appropriate to be provided by a transportation vendor,
14 as determined by commission rule or policy.

15 (2) "Transportation network company" has
16 the meaning assigned by Section 2402.001, Occupations
17 Code.

18 (3) "Transportation vendor" means an
19 entity, including a transportation network company,
20 that contracts with a Medicaid managed care
21 organization to provide nonmedical transportation
22 services.

23 Sec. 533.002581. DELIVERY OF NONMEDICAL
24 TRANSPORTATION SERVICES UNDER MEDICAID MANAGED CARE
25 PROGRAM. (a) In this section, "nonmedical
26 transportation service" and "transportation vendor"
27 have the meanings assigned by Section 533.00258.

28 Revisor's Note

29 (1) Section 533.001(1), Government Code,
30 defines "commission" for purposes of Chapter 533,
31 Government Code, as meaning the Health and Human
32 Services Commission and certain other state agencies.
33 That definition applies to the law revised in this
34 chapter, which is derived from Chapter 533. Section
35 531.001(2), Government Code, which is revised as
36 Section ____ of this subtitle, defines "commission"
37 for purposes of Subtitle I, Title 4, Government Code,
38 to mean only the Health and Human Services Commission.
39 The law revised in this chapter is derived from
40 Subtitle I, and the definition provided by Section
41 531.001(2) would apply to this chapter in the absence
42 of the definition provided by Section 533.001(1) that
43 more specifically applies to the law revised in this
44 chapter. The revised law defines "commission" to have
45 the more expansive meaning assigned by Section
46 533.001(1) for purposes of the law revised in this
47 chapter and, for clarity and the convenience of the

1 reader, adds that this definition is
2 "[n]otwithstanding Section _____ [[[Section
3 531.001(2)]]]."

4 (2) Section 533.001(2), Government Code,
5 defines "executive commissioner" for purposes of
6 Chapter 533, Government Code. The law revised in this
7 chapter is derived from Chapter 533, and the cited
8 definition applies to the term as used in this chapter.
9 However, the revised law omits the definition because
10 the definition duplicates the definition for that term
11 in Section 531.001, Government Code, which is revised
12 in this subtitle as Section _____ and applies to this
13 subtitle, including to the law revised in this
14 chapter. The omitted law reads:

15 (2) "Executive commissioner"
16 means the executive commissioner of the
17 Health and Human Services Commission.

18 (3) Sections 533.00257(a), 533.002571(a),
19 533.00258(a), and 533.002581(a), Government Code,
20 each provide definitions related to transportation
21 services under the Medicaid managed care program that
22 apply to the law in each respective section. The
23 revised law applies the definitions to the entire
24 chapter because each defined term is either not used in
25 any provision other than a provision derived from the
26 same source law section or, to the extent the term is
27 used in other provisions, the source law definitions
28 from which those provisions were derived define the
29 term in a substantively identical manner.

30 (4) Section 533.00257(a)(1), Government Code,
31 defines a "managed transportation organization" as,
32 among other things, an "entity the commission
33 determines meets the requirements of this section,"
34 meaning the substantive requirements of Section
35 533.00257, Government Code. The substantive

1 requirements of that section are revised in this
2 chapter as Subchapter B. The revised law is drafted
3 accordingly.

4 (5) Section 533.00257(a)(3), Government Code,
5 defines "transportation service area provider" for
6 purposes of Section 533.00257, Government Code. That
7 term was used only in Subsection (h) of Section
8 533.00257, but that subsection expired August 31,
9 2015, in accordance with former Subsection (k) of that
10 section, which also expired August 31, 2015. The
11 revised law omits the definition because the term is no
12 longer used in the section. The omitted law reads:

13 (3) "Transportation service
14 area provider" means a for-profit or
15 nonprofit entity or political subdivision
16 of this state that provides demand
17 response, curb-to-curb, nonemergency
18 transportation under the medical
19 transportation program.

20 SUBCHAPTER B. MEDICAL TRANSPORTATION PROGRAM SERVICES THROUGH
21 MANAGED TRANSPORTATION DELIVERY MODEL

22 Revised Law

23 Sec. 540A.0051. DELIVERY OF MEDICAL TRANSPORTATION PROGRAM
24 SERVICES THROUGH MANAGED TRANSPORTATION ORGANIZATION. (a) The
25 commission may provide medical transportation program services on a
26 regional basis through a managed transportation delivery model
27 using managed transportation organizations and providers, as
28 appropriate, that:

- 29 (1) operate under a capitated rate system;
30 (2) assume financial responsibility under a full-risk
31 model;
32 (3) operate a call center;
33 (4) use fixed routes when available and appropriate;
34 and
35 (5) agree to provide data to the commission if the
36 commission determines that the data is required to receive federal
37 matching money.

1 (b) The commission shall procure managed transportation
2 organizations under the medical transportation program through a
3 competitive bidding process for each managed transportation region
4 as determined by the commission.

5 (c) The commission may not delay providing medical
6 transportation program services through a managed transportation
7 delivery model in:

8 (1) a county with a population of 750,000 or more:

9 (A) in which all or part of a municipality with a
10 population of one million or more is located; and

11 (B) that is located adjacent to a county with a
12 population of two million or more; or

13 (2) a county with a population of at least 55,000 but
14 not more than 65,000 that is located adjacent to a county with a
15 population of at least 500,000 but not more than 1.5 million. (Gov.
16 Code, Secs. 533.00257(b), (c), (j).)

17 Source Law

18 (b) The commission may provide medical
19 transportation program services on a regional basis
20 through a managed transportation delivery model using
21 managed transportation organizations and providers,
22 as appropriate, that:

23 (1) operate under a capitated rate system;

24 (2) assume financial responsibility under
25 a full-risk model;

26 (3) operate a call center;

27 (4) use fixed routes when available and
28 appropriate; and

29 (5) agree to provide data to the
30 commission if the commission determines that the data
31 is required to receive federal matching funds.

32 (c) The commission shall procure managed
33 transportation organizations under the medical
34 transportation program through a competitive bidding
35 process for each managed transportation region as
36 determined by the commission.

37 (j) Notwithstanding Subsection (i), the
38 commission may not delay providing medical
39 transportation program services through a managed
40 transportation delivery model in:

41 (1) a county with a population of 750,000
42 or more:

43 (A) in which all or part of a
44 municipality with a population of one million or more
45 is located; and

46 (B) that is located adjacent to a
47 county with a population of two million or more; or

48 (2) a county with a population of at least
49 55,000 but not more than 65,000 that is located

1 adjacent to a county with a population of at least
2 500,000 but not more than 1.5 million.

3 Revisor's Note

4 (1) Section 533.00257(b)(5), Government Code,
5 refers to the receipt of "federal matching funds." The
6 revised law substitutes "money" for "funds" because,
7 in context, the meaning is the same and "money" is the
8 more commonly used term.

9 (2) Section 533.00257(j), Government Code,
10 prohibits the Health and Human Services Commission
11 from delaying the provision of medical transportation
12 program services through a managed transportation
13 delivery model in certain counties,
14 "[n]otwithstanding Subsection (i)" of the same
15 section. Section 533.00257(i), Government Code, was
16 repealed by Chapter 1235 (H.B. 1576), Acts of the 86th
17 Legislature, Regular Session, 2019, and the revised
18 law therefore omits the quoted phrase.

19 Revised Law

20 Sec. 540A.0052. MINIMUM QUALITY AND EFFICIENCY MEASURES.
21 Except as provided by Sections 540A.0054, 540A.0057, and 540A.0058,
22 the commission shall require that managed transportation
23 organizations and providers participating in the medical
24 transportation program meet minimum quality and efficiency
25 measures the commission determines. (Gov. Code, Sec.
26 533.00257(g).)

27 Source Law

28 (g) Except as provided by Subsections (k) and
29 (m), the commission shall require that managed
30 transportation organizations and providers
31 participating in the medical transportation program
32 meet minimum quality and efficiency measures as
33 determined by the commission.

34 Revised Law

35 Sec. 540A.0053. MANAGED TRANSPORTATION ORGANIZATION:
36 CONTRACT WITH MEDICAL TRANSPORTATION PROVIDER. Except as provided
37 by Sections 540A.0054, 540A.0057, and 540A.0058, a managed

1 transportation organization that participates in the medical
2 transportation program must attempt to contract with medical
3 transportation providers that:

4 (1) are significant traditional providers, as the
5 executive commissioner defines by rule;

6 (2) meet the minimum quality and efficiency measures
7 required under Section 540A.0052 and other requirements that the
8 managed transportation organization may impose; and

9 (3) agree to accept the managed transportation
10 organization's prevailing contract rate. (Gov. Code, Sec.
11 533.00257(d).)

12 Source Law

13 (d) Except as provided by Subsections (k) and
14 (m), a managed transportation organization that
15 participates in the medical transportation program
16 must attempt to contract with medical transportation
17 providers that:

18 (1) are considered significant
19 traditional providers, as defined by rule by the
20 executive commissioner;

21 (2) meet the minimum quality and
22 efficiency measures required under Subsection (g) and
23 other requirements that may be imposed by the managed
24 transportation organization; and

25 (3) agree to accept the prevailing
26 contract rate of the managed transportation
27 organization.

28 Revised Law

29 Sec. 540A.0054. MANAGED TRANSPORTATION ORGANIZATION:
30 SUBCONTRACT WITH TRANSPORTATION NETWORK COMPANY. A managed
31 transportation organization may subcontract with a transportation
32 network company to provide services under this subchapter. A rule
33 or other requirement the executive commissioner adopts under this
34 subchapter or Section _____ [[[Section 531.02414]]] does not apply
35 to the subcontracted transportation network company or a motor
36 vehicle operator who is part of the company's network. (Gov. Code,
37 Sec. 533.00257(k) (part).)

38 Source Law

39 (k) A managed transportation organization may
40 subcontract with a transportation network company to
41 provide services under this section. A rule or other
42 requirement adopted by the executive commissioner
43 under this section or Section 531.02414 does not apply

1 to the subcontracted transportation network company or
2 a motor vehicle operator who is part of the company's
3 network. . . .

4 Revisor's Note

5 Section 533.00257(k), Government Code, refers to
6 services provided and a rule or requirement adopted
7 under "this section," meaning Section 533.00257,
8 Government Code. The substantive provisions of
9 Section 533.00257 relating to the provision of
10 services and adoption of rules and requirements are
11 revised as this subchapter. The revised law is drafted
12 accordingly. Similar changes are made throughout this
13 subchapter where the source law references services
14 provided under Section 533.00257.

15 Revised Law

16 Sec. 540A.0055. MANAGED TRANSPORTATION ORGANIZATION:
17 VEHICLE FLEETS. (a) To the extent allowed under federal law, a
18 managed transportation organization may own, operate, and maintain
19 a fleet of vehicles or contract with an entity that owns, operates,
20 and maintains a fleet of vehicles. The commission shall seek an
21 appropriate federal waiver or other authorization to implement this
22 subsection as necessary.

23 (b) The commission shall consider a managed transportation
24 organization's ownership, operation, and maintenance of a fleet of
25 vehicles to be a related-party transaction for purposes of applying
26 experience rebates, administrative costs, and other administrative
27 controls the commission determines. (Gov. Code, Secs.
28 533.00257(e), (f).)

29 Source Law

30 (e) To the extent allowed under federal law, a
31 managed transportation organization may own, operate,
32 and maintain a fleet of vehicles or contract with an
33 entity that owns, operates, and maintains a fleet of
34 vehicles. The commission shall seek appropriate
35 federal waivers or other authorizations to implement
36 this subsection as necessary.

37 (f) The commission shall consider the
38 ownership, operation, and maintenance of a fleet of
39 vehicles by a managed transportation organization to
40 be a related-party transaction for purposes of
41 applying experience rebates, administrative costs,

1 and other administrative controls determined by the
2 commission.

3 Revised Law

4 Sec. 540A.0056. PERIODIC SCREENING OF TRANSPORTATION
5 NETWORK COMPANY OR MOTOR VEHICLE OPERATOR AUTHORIZED. The
6 commission or a managed transportation organization that
7 subcontracts with a transportation network company under Section
8 540A.0054 may require the transportation network company or a motor
9 vehicle operator who provides services under this subchapter to be
10 periodically screened against the list of excluded individuals and
11 entities the Office of Inspector General of the United States
12 Department of Health and Human Services maintains. (Gov. Code,
13 Sec. 533.00257(1).)

14 Source Law

15 (1) The commission or a managed transportation
16 organization that subcontracts with a transportation
17 network company under Subsection (k) may require the
18 transportation network company or a motor vehicle
19 operator who provides services under this section to
20 be periodically screened against the list of excluded
21 individuals and entities maintained by the Office of
22 Inspector General of the United States Department of
23 Health and Human Services.

24 Revisor's Note

25 Section 533.00257(1), Government Code, refers to
26 a managed transportation organization that
27 subcontracts with a transportation network company
28 under Subsection (k), meaning Section 533.00257(k),
29 Government Code. The portion of Section 533.00257(k)
30 that authorizes subcontracting with a transportation
31 network company is revised in this chapter as Section
32 540A.0054. The revised law is drafted accordingly.

33 Revised Law

34 Sec. 540A.0057. ENROLLMENT AS MEDICAID PROVIDER BY CERTAIN
35 MOTOR VEHICLE OPERATORS NOT REQUIRED. The commission or a managed
36 transportation organization that subcontracts with a
37 transportation network company under Section 540A.0054 may not
38 require a motor vehicle operator who is part of the subcontracted
39 transportation network company's network to enroll as a Medicaid

1 provider to provide services under this subchapter. (Gov. Code,
2 Sec. 533.00257(k) (part).)

3 Source Law

4 (k) [A managed transportation organization may
5 subcontract with a transportation network company to
6 provide services under this section.] . . . The
7 commission or the managed transportation organization
8 may not require a motor vehicle operator who is part of
9 the subcontracted transportation network company's
10 network to enroll as a Medicaid provider to provide
11 services under this section.

12 Revised Law

13 Sec. 540A.0058. DRIVER REQUIREMENTS FOR CERTAIN MOTOR
14 VEHICLE OPERATORS. Notwithstanding any other law, a motor vehicle
15 operator who is part of the network of a transportation network
16 company that subcontracts with a managed transportation
17 organization under Section 540A.0054 and who satisfies the driver
18 requirements in Section 2402.107, Occupations Code, is qualified to
19 provide services under this subchapter. The commission and the
20 managed transportation organization may not impose any additional
21 requirements on a motor vehicle operator who satisfies the driver
22 requirements in Section 2402.107, Occupations Code, to provide
23 services under this subchapter. (Gov. Code, Sec. 533.00257(m).)

24 Source Law

25 (m) Notwithstanding any other law, a motor
26 vehicle operator who is part of the network of a
27 transportation network company that subcontracts with
28 a managed transportation organization under
29 Subsection (k) and who satisfies the driver
30 requirements in Section 2402.107, Occupations Code, is
31 qualified to provide services under this section. The
32 commission and the managed transportation
33 organization may not impose any additional
34 requirements on a motor vehicle operator who satisfies
35 the driver requirements in Section 2402.107,
36 Occupations Code, to provide services under this
37 section.

38 Revisor's Note

39 Section 533.00257(m), Government Code, refers to
40 a transportation network company that subcontracts
41 with a managed transportation organization under
42 Subsection (k), meaning Section 533.00257(k),
43 Government Code. The revised law substitutes a

1 reference to Section 540A.0054 of this chapter for the
2 reference to Subsection (k) for the reason stated in
3 the revisor's note to Section 540A.0056 of this
4 chapter.

5 Revised Law

6 Sec. 540A.0059. MOTOR VEHICLE OPERATOR: VEHICLE
7 ACCESSIBILITY. For purposes of this subchapter and notwithstanding
8 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
9 operator who provides a service under this subchapter may use a
10 wheelchair-accessible vehicle equipped with a lift or ramp that is
11 capable of transporting a passenger using a fixed-frame wheelchair
12 in the cabin of the vehicle if the vehicle otherwise meets the
13 requirements of Section 2402.111, Occupations Code. (Gov. Code,
14 Sec. 533.00257(n).)

15 Source Law

16 (n) For purposes of this section and
17 notwithstanding Section 2402.111(a)(2)(A),
18 Occupations Code, a motor vehicle operator who
19 provides services under this section may use a
20 wheelchair-accessible vehicle equipped with a lift or
21 ramp that is capable of transporting passengers using
22 a fixed-frame wheelchair in the cabin of the vehicle if
23 the vehicle otherwise meets the requirements of
24 Section 2402.111, Occupations Code.

25 SUBCHAPTER C. NONEMERGENCY TRANSPORTATION SERVICES THROUGH
26 MEDICAID MANAGED CARE ORGANIZATION

27 Revised Law

28 Sec. 540A.0101. DELIVERY OF NONEMERGENCY TRANSPORTATION
29 SERVICES THROUGH MEDICAID MANAGED CARE ORGANIZATION. (a) The
30 commission shall require each Medicaid managed care organization to
31 arrange and provide nonemergency transportation services to a
32 recipient enrolled in a Medicaid managed care plan offered by the
33 organization using the most cost-effective and cost-efficient
34 method of delivery, including by delivering nonmedical
35 transportation services through a transportation network company
36 or other transportation vendor as provided by Section 540A.0151, if
37 available and medically appropriate. The commission shall
38 supervise the provision of the services.

1 (b) The commission may temporarily waive the applicability
2 of Subsection (a) to a Medicaid managed care organization as
3 necessary based on the results of a review conducted under Section
4 _____ [[Section 533.007]] and until enrollment of recipients in
5 a Medicaid managed care plan offered by the organization is
6 permitted under that section. (Gov. Code, Secs. 533.002571(b),
7 (h).)

8 Source Law

9 (b) The commission shall require each Medicaid
10 managed care organization to arrange and provide
11 nonemergency transportation services to a recipient
12 enrolled in a managed care plan offered by the
13 organization using the most cost-effective and
14 cost-efficient method of delivery, including by
15 delivering nonmedical transportation services through
16 a transportation network company or other
17 transportation vendor as provided by Section
18 533.002581, if available and medically appropriate.
19 The commission shall supervise the provision of the
20 services.

21 (h) The commission may temporarily waive the
22 applicability of Subsection (b) to a Medicaid managed
23 care organization as necessary based on the results of
24 a review conducted under Section 533.007 and until
25 enrollment of recipients in a managed care plan
26 offered by the organization is permitted under that
27 section.

28 Revisor's Note

29 Section 533.002571(b), Government Code, requires
30 the Health and Human Services Commission to require
31 each Medicaid managed care organization to deliver
32 nonmedical transportation services through a
33 transportation network company or "other
34 transportation vendor as provided by Section
35 533.002581," Government Code. The portion of Section
36 533.002581 relating to a Medicaid managed care
37 organization delivering nonmedical transportation
38 services through a transportation vendor is revised in
39 this chapter as Section 540A.0151. The revised law is
40 drafted accordingly.

41 Revised Law

42 Sec. 540A.0102. RULES FOR NONEMERGENCY TRANSPORTATION

1 SERVICES. Subject to Sections 540A.0103 and 540A.0105, the
2 executive commissioner shall adopt rules as necessary to ensure the
3 safe and efficient provision of nonemergency transportation
4 services by a Medicaid managed care organization under this
5 subchapter. (Gov. Code, Sec. 533.002571(c).)

6 Source Law

7 (c) Subject to Subsection (d), the executive
8 commissioner shall adopt rules as necessary to ensure
9 the safe and efficient provision of nonemergency
10 transportation services by a Medicaid managed care
11 organization under this section.

12 Revisor's Note

13 Section 533.002571(c), Government Code, refers
14 to nonemergency transportation services provided by a
15 Medicaid managed care organization under "this
16 section," meaning Section 533.002571, Government
17 Code. The substantive provisions of Section
18 533.002571 relating to the provision of those services
19 by a Medicaid managed care organization are revised as
20 this subchapter. The revised law is drafted
21 accordingly. Similar changes are made throughout this
22 subchapter where the source law references services
23 provided under Section 533.002571.

24 Revised Law

25 Sec. 540A.0103. MEDICAID MANAGED CARE ORGANIZATION:
26 SUBCONTRACT WITH TRANSPORTATION NETWORK COMPANY. A Medicaid
27 managed care organization may subcontract with a transportation
28 network company to provide nonemergency transportation services
29 under this subchapter. A rule or other requirement the executive
30 commissioner adopts under Section 540A.0102 or _____ [[[Section
31 531.02414]]] does not apply to the subcontracted transportation
32 network company or a motor vehicle operator who is part of the
33 company's network. (Gov. Code, Sec. 533.002571(d) (part).)

34 Source Law

35 (d) A Medicaid managed care organization may
36 subcontract with a transportation network company to
37 provide nonemergency transportation services under

1 this section. A rule or other requirement adopted by
2 the executive commissioner under Subsection (c) or
3 Section 531.02414 does not apply to the subcontracted
4 transportation network company or a motor vehicle
5 operator who is part of the company's network. . . .

6 Revised Law

7 Sec. 540A.0104. PERIODIC SCREENING OF TRANSPORTATION
8 NETWORK COMPANY OR MOTOR VEHICLE OPERATOR AUTHORIZED. The
9 commission or a Medicaid managed care organization that
10 subcontracts with a transportation network company under Section
11 540A.0103 may require the transportation network company or a motor
12 vehicle operator who provides services under this subchapter to be
13 periodically screened against the list of excluded individuals and
14 entities the Office of Inspector General of the United States
15 Department of Health and Human Services maintains. (Gov. Code,
16 Sec. 533.002571(e).)

17 Source Law

18 (e) The commission or a Medicaid managed care
19 organization that subcontracts with a transportation
20 network company under Subsection (d) may require the
21 transportation network company or a motor vehicle
22 operator who provides services under this section to
23 be periodically screened against the list of excluded
24 individuals and entities maintained by the Office of
25 Inspector General of the United States Department of
26 Health and Human Services.

27 Revisor's Note

28 Section 533.002571(e), Government Code, refers
29 to a Medicaid managed care organization that
30 subcontracts with a transportation network company
31 under Subsection (d), meaning Section 533.002571(d),
32 Government Code. The portion of Section 533.002571(d)
33 that authorizes subcontracting with a transportation
34 network company is revised in this chapter as Section
35 540A.0103. The revised law is drafted accordingly.

36 Revised Law

37 Sec. 540A.0105. ENROLLMENT AS MEDICAID PROVIDER BY CERTAIN
38 MOTOR VEHICLE OPERATORS NOT REQUIRED. The commission or a Medicaid
39 managed care organization that subcontracts with a transportation
40 network company under Section 540A.0103 may not require a motor

1 vehicle operator who is part of the subcontracted transportation
2 network company's network to enroll as a Medicaid provider to
3 provide services under this subchapter. (Gov. Code, Sec.
4 533.002571(d) (part).)

5 Source Law

6 (d) [A Medicaid managed care organization may
7 subcontract with a transportation network company to
8 provide nonemergency transportation services under
9 this section.] . . . The commission or the Medicaid
10 managed care organization may not require a motor
11 vehicle operator who is part of the subcontracted
12 transportation network company's network to enroll as
13 a Medicaid provider to provide services under this
14 section.

15 Revised Law

16 Sec. 540A.0106. DRIVER REQUIREMENTS FOR CERTAIN MOTOR
17 VEHICLE OPERATORS. Notwithstanding any other law, a motor vehicle
18 operator who is part of the network of a transportation network
19 company that subcontracts with a Medicaid managed care organization
20 under Section 540A.0103 and who satisfies the driver requirements
21 in Section 2402.107, Occupations Code, is qualified to provide
22 services under this subchapter. The commission and the Medicaid
23 managed care organization may not impose any additional
24 requirements on a motor vehicle operator who satisfies the driver
25 requirements in Section 2402.107, Occupations Code, to provide
26 services under this subchapter. (Gov. Code, Sec. 533.002571(f).)

27 Source Law

28 (f) Notwithstanding any other law, a motor
29 vehicle operator who is part of the network of a
30 transportation network company that subcontracts with
31 a Medicaid managed care organization under Subsection
32 (d) and who satisfies the driver requirements in
33 Section 2402.107, Occupations Code, is qualified to
34 provide services under this section. The commission
35 and the Medicaid managed care organization may not
36 impose any additional requirements on a motor vehicle
37 operator who satisfies the driver requirements in
38 Section 2402.107, Occupations Code, to provide
39 services under this section.

40 Revisor's Note

41 Section 533.002571(f), Government Code, refers
42 to a transportation network company that subcontracts
43 with a Medicaid managed care organization under

1 Subsection (d), meaning Section 533.002571(d),
2 Government Code. The revised law substitutes a
3 reference to Section 540A.0103 of this chapter for the
4 reference to Subsection (d) for the reason stated in
5 the revisor's note to Section 540A.0104 of this
6 chapter.

7 Revised Law

8 Sec. 540A.0107. MOTOR VEHICLE OPERATOR: VEHICLE
9 ACCESSIBILITY. For purposes of this subchapter and notwithstanding
10 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
11 operator who provides a service under this subchapter may use a
12 wheelchair-accessible vehicle equipped with a lift or ramp that is
13 capable of transporting a passenger using a fixed-frame wheelchair
14 in the cabin of the vehicle if the vehicle otherwise meets the
15 requirements of Section 2402.111, Occupations Code. (Gov. Code,
16 Sec. 533.002571(g).)

17 Source Law

18 (g) For purposes of this section and
19 notwithstanding Section 2402.111(a)(2)(A),
20 Occupations Code, a motor vehicle operator who
21 provides services under this section may use a
22 wheelchair-accessible vehicle equipped with a lift or
23 ramp that is capable of transporting passengers using
24 a fixed-frame wheelchair in the cabin of the vehicle if
25 the vehicle otherwise meets the requirements of
26 Section 2402.111, Occupations Code.

27 SUBCHAPTER D. NONMEDICAL TRANSPORTATION SERVICES THROUGH MEDICAID
28 MANAGED CARE ORGANIZATION

29 Revised Law

30 Sec. 540A.0151. DELIVERY OF NONMEDICAL TRANSPORTATION
31 SERVICES THROUGH MEDICAID MANAGED CARE ORGANIZATION. (a) The
32 commission shall require each Medicaid managed care organization to
33 arrange for the provision of nonmedical transportation services to
34 a recipient enrolled in a Medicaid managed care plan offered by the
35 organization.

36 (b) A Medicaid managed care organization may contract with a
37 transportation vendor or other third party to arrange for the
38 provision of nonmedical transportation services. If a Medicaid

1 managed care organization contracts with a third party that is not a
2 transportation vendor to arrange for the provision of nonmedical
3 transportation services, the third party shall contract with a
4 transportation vendor to deliver the nonmedical transportation
5 services.

6 (c) A Medicaid managed care organization that contracts
7 with a transportation vendor or other third party to arrange for the
8 provision of nonmedical transportation services shall ensure the
9 effective sharing and integration of service coordination, service
10 authorization, and utilization management data between the managed
11 care organization and the transportation vendor or third party.

12 (d) The commission may waive the applicability of
13 Subsection (a) to a Medicaid managed care organization for not more
14 than three months as necessary based on the results of a review
15 conducted under Section _____ [[[Section 533.007]]] and until
16 enrollment of recipients in a Medicaid managed care plan offered by
17 the organization is permitted under that section. (Gov. Code, Secs.
18 533.002581(c), (d), (e), (h).)

19 Source Law

20 (c) Beginning not later than September 1, 2020,
21 the commission shall require each Medicaid managed
22 care organization to arrange for the provision of
23 nonmedical transportation services to recipients
24 enrolled in a managed care plan offered by the
25 organization.

26 (d) A Medicaid managed care organization may
27 contract with a transportation vendor or other third
28 party to arrange for the provision of nonmedical
29 transportation services. If a Medicaid managed care
30 organization contracts with a third party that is not a
31 transportation vendor to arrange for the provision of
32 nonmedical transportation services, the third party
33 shall contract with a transportation vendor to deliver
34 the nonmedical transportation services.

35 (e) A Medicaid managed care organization that
36 contracts with a transportation vendor or other third
37 party to arrange for the provision of nonmedical
38 transportation services shall ensure the effective
39 sharing and integration of service coordination,
40 service authorization, and utilization management
41 data between the managed care organization and the
42 transportation vendor or third party.

43 (h) The commission may waive the applicability
44 of Subsection (c) to a Medicaid managed care
45 organization for not more than three months as
46 necessary based on the results of a review conducted
47 under Section 533.007 and until enrollment of

1 recipients in a managed care plan offered by the
2 organization is permitted under that section.

3 Revisor's Note

4 Section 533.002581(c), Government Code, directs
5 the Health and Human Services Commission, "[b]eginning
6 not later than September 1, 2020," to require each
7 Medicaid managed care organization to carry out
8 certain duties. The revised law omits the quoted
9 language as executed.

10 Revised Law

11 Sec. 540A.0152. RULES FOR NONMEDICAL TRANSPORTATION
12 SERVICES. (a) The executive commissioner shall adopt rules
13 regarding the manner in which nonmedical transportation services
14 may be arranged and provided.

15 (b) The rules must require a Medicaid managed care
16 organization to create a process to:

17 (1) verify that a passenger is eligible to receive
18 nonmedical transportation services;

19 (2) ensure that nonmedical transportation services
20 are provided only to and from covered health care services in areas
21 in which a transportation network company operates; and

22 (3) ensure the timely delivery of nonmedical
23 transportation services to a recipient, including by setting
24 reasonable service response goals.

25 (c) The rules must require a transportation vendor to,
26 before permitting a motor vehicle operator to provide nonmedical
27 transportation services:

28 (1) confirm that the operator:

29 (A) is at least 18 years of age;

30 (B) maintains a valid driver's license issued by
31 this state, another state, or the District of Columbia; and

32 (C) possesses proof of registration and
33 automobile financial responsibility for each motor vehicle to be
34 used to provide nonmedical transportation services;

35 (2) conduct, or cause to be conducted, a local, state,

1 and national criminal background check for the operator that
2 includes the use of:

3 (A) a commercial multistate and
4 multijurisdiction criminal records locator or other similar
5 commercial nationwide database; and

6 (B) the national sex offender public website the
7 United States Department of Justice or a successor agency
8 maintains;

9 (3) confirm that any vehicle to be used to provide
10 nonmedical transportation services:

11 (A) meets the applicable requirements of Chapter
12 548, Transportation Code; and

13 (B) except as provided by Section 540A.0156, has
14 at least four doors; and

15 (4) obtain and review the operator's driving record.

16 (d) The rules may not permit a motor vehicle operator to
17 provide nonmedical transportation services if the operator:

18 (1) has been convicted in the three-year period
19 preceding the issue date of the driving record obtained under
20 Subsection (c)(4) of:

21 (A) more than three offenses the Department of
22 Public Safety classifies as moving violations; or

23 (B) one or more of the following offenses:

24 (i) fleeing or attempting to elude a police
25 officer under Section 545.421, Transportation Code;

26 (ii) reckless driving under Section
27 545.401, Transportation Code;

28 (iii) driving without a valid driver's
29 license under Section 521.025, Transportation Code; or

30 (iv) driving with an invalid driver's
31 license under Section 521.457, Transportation Code;

32 (2) has been convicted in the preceding seven-year
33 period of any of the following:

34 (A) driving while intoxicated under Section

1 49.04 or 49.045, Penal Code;

2 (B) use of a motor vehicle to commit a felony;

3 (C) a felony crime involving property damage;

4 (D) fraud;

5 (E) theft;

6 (F) an act of violence; or

7 (G) an act of terrorism; or

8 (3) is found to be registered in the national sex
9 offender public website the United States Department of Justice or
10 a successor agency maintains. (Gov. Code, Secs. 533.00258(b), (c),
11 (e), (f).)

12 Source Law

13 (b) The executive commissioner shall adopt
14 rules regarding the manner in which nonmedical
15 transportation services may be arranged and provided.

16 (c) The rules must require a Medicaid managed
17 care organization to create a process to:

18 (1) verify that a passenger is eligible to
19 receive nonmedical transportation services;

20 (2) ensure that nonmedical transportation
21 services are provided only to and from covered health
22 care services in areas in which a transportation
23 network company operates; and

24 (3) ensure the timely delivery of
25 nonmedical transportation services to a recipient,
26 including by setting reasonable service response
27 goals.

28 (e) The rules must require a transportation
29 vendor to, before permitting a motor vehicle operator
30 to provide nonmedical transportation services:

31 (1) confirm that the operator:

32 (A) is at least 18 years of age;

33 (B) maintains a valid driver's
34 license issued by this state, another state, or the
35 District of Columbia; and

36 (C) possesses proof of registration
37 and automobile financial responsibility for each motor
38 vehicle to be used to provide nonmedical
39 transportation services;

40 (2) conduct, or cause to be conducted, a
41 local, state, and national criminal background check
42 for the operator that includes the use of:

43 (A) a commercial multistate and
44 multijurisdiction criminal records locator or other
45 similar commercial nationwide database; and

46 (B) the national sex offender public
47 website maintained by the United States Department of
48 Justice or a successor agency;

49 (3) confirm that any vehicle to be used to
50 provide nonmedical transportation services:

51 (A) meets the applicable
52 requirements of Chapter 548, Transportation Code; and

53 (B) except as provided by Subsection
54 (j), has at least four doors; and

1 (4) obtain and review the operator's
2 driving record.

3 (f) The rules may not permit a motor vehicle
4 operator to provide nonmedical transportation
5 services if the operator:

6 (1) has been convicted in the three-year
7 period preceding the issue date of the driving record
8 obtained under Subsection (e)(4) of:

9 (A) more than three offenses
10 classified by the Department of Public Safety as
11 moving violations; or

12 (B) one or more of the following
13 offenses:

14 (i) fleeing or attempting to
15 elude a police officer under Section 545.421,
16 Transportation Code;

17 (ii) reckless driving under
18 Section 545.401, Transportation Code;

19 (iii) driving without a valid
20 driver's license under Section 521.025, Transportation
21 Code; or

22 (iv) driving with an invalid
23 driver's license under Section 521.457, Transportation
24 Code;

25 (2) has been convicted in the preceding
26 seven-year period of any of the following:

27 (A) driving while intoxicated under
28 Section 49.04 or 49.045, Penal Code;

29 (B) use of a motor vehicle to commit a
30 felony;

31 (C) a felony crime involving property
32 damage;

33 (D) fraud;

34 (E) theft;

35 (F) an act of violence; or

36 (G) an act of terrorism; or

37 (3) is found to be registered in the
38 national sex offender public website maintained by the
39 United States Department of Justice or a successor
40 agency.

41 Revisor's Note

42 Section 533.00258(d), Government Code, prohibits
43 certain rules the executive commissioner of the Health
44 and Human Services Commission adopts from imposing
45 penalties on certain Medicaid managed care
46 organizations before September 1, 2020. The revised
47 law omits that subsection as executed. The omitted law
48 reads:

49 (d) Before September 1, 2020, and
50 subject to Section 533.002581(h), a rule
51 adopted in accordance with Subsection
52 (c)(3) may not impose a penalty on a
53 Medicaid managed care organization that
54 contracts with a transportation vendor
55 under this section if the vendor is unable
56 to provide nonmedical transportation
57 services to a recipient after the Medicaid
58 managed care organization has made a
59 specific request for those services.

1 Revised Law

2 Sec. 540A.0153. PERIODIC SCREENING OF TRANSPORTATION
3 VENDOR OR MOTOR VEHICLE OPERATOR AUTHORIZED. The commission or a
4 Medicaid managed care organization that contracts with a
5 transportation vendor may require the transportation vendor or a
6 motor vehicle operator who provides services under this subchapter
7 to be periodically screened against the list of excluded
8 individuals and entities the Office of Inspector General of the
9 United States Department of Health and Human Services maintains.
10 (Gov. Code, Sec. 533.00258(h).)

11 Source Law

12 (h) The commission or a Medicaid managed care
13 organization that contracts with a transportation
14 vendor may require the transportation vendor or a
15 motor vehicle operator who provides services under
16 this section to be periodically screened against the
17 list of excluded individuals and entities maintained
18 by the Office of Inspector General of the United States
19 Department of Health and Human Services.

20 Revisor's Note

21 Section 533.00258(h), Government Code, refers to
22 the imposition of requirements on transportation
23 vendors or motor vehicle operators who provide
24 nonmedical transportation services under "this
25 section," meaning Section 533.00258, Government Code.
26 The substantive provisions of Section 533.00258
27 relating to the provision of nonmedical transportation
28 services are revised in this subchapter. This
29 subchapter also includes the revision of provisions
30 derived from Section 533.002581, Government Code,
31 which relates the same type of services. Because the
32 entire subchapter relates to those services, the
33 revised law substitutes a reference to the subchapter
34 for the reference to Section 533.00258.

35 Revised Law

36 Sec. 540A.0154. ENROLLMENT AS MEDICAID PROVIDER BY, OR
37 CREDENTIALING OF, MOTOR VEHICLE OPERATOR NOT REQUIRED. (a) The

1 commission or a Medicaid managed care organization may not require
2 a motor vehicle operator to enroll as a Medicaid provider to provide
3 nonmedical transportation services.

4 (b) The commission may not require a Medicaid managed care
5 organization to credential a motor vehicle operator to provide
6 nonmedical transportation services, and the organization may not
7 require the credentialing of a motor vehicle operator to provide
8 those services. (Gov. Code, Secs. 533.00258(g), 533.002581(f).)

9 Source Law

10 [Sec. 533.00258]

11 (g) The commission may not require:

12 (1) a motor vehicle operator to enroll as a
13 Medicaid provider to provide nonmedical
14 transportation services; or

15 (2) a Medicaid managed care organization
16 to credential a motor vehicle operator to provide
17 nonmedical transportation services.

18 [Sec. 533.002581]

19 (f) A Medicaid managed care organization may not
20 require:

21 (1) a motor vehicle operator to enroll as a
22 Medicaid provider to provide nonmedical
23 transportation services; or

24 (2) the credentialing of a motor vehicle
25 operator to provide nonmedical transportation
26 services.

27 Revised Law

28 Sec. 540A.0155. DRIVER REQUIREMENTS FOR CERTAIN MOTOR
29 VEHICLE OPERATORS. Notwithstanding any other law, a motor vehicle
30 operator who is part of a transportation network company's network
31 and who satisfies the driver requirements in Section 2402.107,
32 Occupations Code, is qualified to provide nonmedical
33 transportation services. The commission and a Medicaid managed care
34 organization may not impose any additional requirements on a motor
35 vehicle operator who satisfies the driver requirements in Section
36 2402.107, Occupations Code, to provide nonmedical transportation
37 services. (Gov. Code, Sec. 533.00258(i).)

38 Source Law

39 (i) Notwithstanding any other law, a motor
40 vehicle operator who is part of a transportation
41 network company's network and who satisfies the driver
42 requirements in Section 2402.107, Occupations Code, is
43 qualified to provide nonmedical transportation
44 services. The commission and a Medicaid managed care

1 organization may not impose any additional
2 requirements on a motor vehicle operator who satisfies
3 the driver requirements in Section 2402.107,
4 Occupations Code, to provide nonmedical
5 transportation services.

6 Revised Law

7 Sec. 540A.0156. MOTOR VEHICLE OPERATOR: VEHICLE
8 ACCESSIBILITY. For purposes of this subchapter and notwithstanding
9 Section 2402.111(a)(2)(A), Occupations Code, a motor vehicle
10 operator who provides a service under this subchapter may use a
11 wheelchair-accessible vehicle equipped with a lift or ramp that is
12 capable of transporting a passenger using a fixed-frame wheelchair
13 in the cabin of the vehicle if the vehicle otherwise meets the
14 requirements of Section 2402.111, Occupations Code. (Gov. Code,
15 Secs. 533.00258(j), 533.002581(g).)

16 Source Law

17 [Sec. 533.00258]

18 (j) For purposes of this section and
19 notwithstanding Section 2402.111(a)(2)(A),
20 Occupations Code, a motor vehicle operator who
21 provides services under this section may use a
22 wheelchair-accessible vehicle equipped with a lift or
23 ramp that is capable of transporting passengers using
24 a fixed-frame wheelchair in the cabin of the vehicle if
25 the vehicle otherwise meets the requirements of
26 Section 2402.111, Occupations Code.

27 [Sec. 533.002581]

28 (g) For purposes of this section and
29 notwithstanding Section 2402.111(a)(2)(A),
30 Occupations Code, a motor vehicle operator who
31 provides services under this section may use a
32 wheelchair-accessible vehicle equipped with a lift or
33 ramp that is capable of transporting passengers using
34 a fixed-frame wheelchair in the cabin of the vehicle if
35 the vehicle otherwise meets the requirements of
36 Section 2402.111, Occupations Code.